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## **The Concept of Migration in *Islam*, Refugee's Management & Settlement and the Role of Host State**

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### **Abstract:**

The current mobility of people is higher than ever before in modern history and continues to increase sharply, becoming one of the determining global issues of 21st century. The overall number of international migrants has increased in the last few years from the estimated 152 million in 1990 to 173 million in 2000 and to 244 million in the present. The number of persons migrated to foreign countries surged by 41% in the last 15 years (2000-2015). Adherents of Islam constitute the world's second largest religious group. According to a study in 2015, *Islam* has 1.8 billion adherents, making up about 24% of the world population, so it is important to know what *Islam* says about migration, in what conditions migration is allowed and when *Islam* recommends migration. The behavior of migrants and the role of host country that should also be known. This article is an effort to go deep in this regard and for this purpose the 2 basic sources of information are used one is the *Qur'ān* and the other is *Hadīth* sayings of Prophet *Muḥammad* (SAW). The findings of the study show that *Hijrah* (Migration) is permissible by *Islam* but the role of host state is very important in refugee's management and their settlement.

**Key Words :** Migration in *Islam*, Refugee's Management, Role of Host State

### **Introduction:**

“Migration is the movement of people from one place to another and in Islam this is called as (*Hijrah*). Migration can be permanent, temporary, voluntary or forced.” Migration can be internal or international. There are many reasons that cause migration such as economic migration – moving to pursue particular career or finding work, social migration is moving to have better quality of life or to be close with friends or family, political migration is moving to avoiding political persecution or war, and there are also some environmental causes for migration that include natural calamities as an flood or earthquake.

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Migration can be due to pull or push factors. Those factors that forces an individual to move are called push factors, for example: famine, drought, shortage of jobs, civil war and over population. There are some factors that encourages an individual to move are pull factors that may include better future opportunity, enhanced way of living.

Islam encourages people to protect and help the vulnerable human beings and have given many ideal examples to follow. Islamic migration law says, “Individuals have the right both to seek and to be granted asylum in any Muslim state. Furthermore, it is the duty of Muslims to accept and protect refugees for as long as they seek protection.” However, despite of the importance *Hijrah* is seldom promoted and encouraged by Muslim countries. If we promote the teachings of Islam on *Hijrah* Muslim states will also consider their practices, and they will be concerned about refugee’s management and settlement.<sup>[1]</sup>

In Islamic history migration has an inimitable place. The most important migration in Islamic history was the migration of *Haḍrat Muḥammad*(PBUH) from *Makkah* to *Mādīnā*, 280 miles in north of *Makkah*. This is as important that the Islamic calendar starts from the day, called *Hijrī* Calendar. *Haḍrat Muḥammad*(PBUH) did love *Makkah*, his hometown. When he was forced to leave, he (PBUH) turned back and said, “O *Makkah*! I know you are the most blessed خير (*khāyir*) of the land of God. If your people did not force me to leave I would never have left you.”<sup>[2]</sup>

When He migrated He prayed: “Lord, you have taken me from the most blessed city. Please, take me to another blessed city”. Before migration, *Haḍrat Muḥammad*(PBUH) and other Muslims were singled out in *Makkah* by the elite. Against them, there was a strict economic boycott for three years.

When *Haḍrat Muḥammad* (PBUH) and his companions reached *Madīnah* there was a very warm welcome and the prophet announced brotherhood to strengthen this relationship and the love for religion, this was known as *Mūākhāt*. In the result of this *Mū’ākhāt* two groups emerged as stated in *Qūrān Ansār* (helpers/ the people of (*Madīnah*) and (*Muhājīrīn*) immigrants-

Every individual, whatever his faith is, has a right in *Islam* to clothing, food and shelter ‘*Usmān ibn ‘Affān* reported: *Haḍrat Muḥammad*(PBUH) said:

“There is no right for the son of (*Adām*) except in these things: a house in which he lives, a garment to cover his nakedness, a piece of bread and water.”<sup>[3]</sup>

Abernethy, (1996) claims that “it appear that the relatively open U.S. immigration policy has resulted in a rate of domestic population growth that threatens both the well-being of American labor and cherished environmental values.”

The current mobility of people is higher than ever before in modern history and continues to increase sharply, becoming one of the determining global issues of 21st century. The number of persons migrated to foreign countries surged by 41% in the last 15 years (2000-2015).

Adherents of (Islam) constitute the world's second largest religious group. According to a study in 2015, (*Islam*) has 1.8 billion believers, making up about 24% of the world population, so it is important to know what (Islam) says about migration, in what conditions migration is allowed and when (Islam) recommends migration. The behavior of migrants and the role of host country that should also be known. This article is an effort to go deep in this regard.

### Literature review:

The constitutional Model states that the doors of a (Muslim state) should be open for believers by the chief of country. The constitutional Model of the Islamic Council of Europe of 1983 says “that the state adopting this model is part of the Muslim world and its (Muslim) people are an integral part of the Muslim *Ummah*. It adds that it is the duty of the state to strive by all possible means to seek the unity and solidarity of the Muslim *Ummah*”). Regarding citizenship this Model says: “Every (Muslim) has a right to seek citizenship in Muslim state. This may be granted in accordance with the laws.”<sup>[4]</sup>

Islamic guidelines command us to protect the refugee’s rights and treat them as our brothers and sisters. In addition to contractual obligations, they can serve as a faith-based supporter of the rights of refugees, particularly women and children. Further exploration of respected Islamic sources could result in new mechanisms in this regard.<sup>[5]</sup> Islamic rules and regulations constitute a valuable source for protection of the rights of refugees, migrants and asylum seekers. In addition to contractual responsibilities, they could serve as a faith-based guarantor for rights of migrants, especially children and women. In this regard more exploration and digging should be done new mechanisms may exist to guide us.<sup>[6]</sup>

It is mandatory in Islam to help the migrants and asylum seekers to the degree of our capability, similarly as we wish if we would be in such condition someone else would help us. The classic theologian “*Ibn āl ‘Arābī*” recommends that “asylum is mandatory for those who are coming

from states where there is injustice, intolerance, physical persecution, disease, and financial insecurity” [7]

Kirsten, (2007) claims that “Muslim states and non-state actors have an obligation to guarantee the safety, security and unfettered access of those offering protection and assistance.” About the weak and oppressed people Allah says in (*Qurān*) that they should have migrated:

“Was not the earth of God spacious enough for you to emigrate in it?” [8]

So indirectly if Allah suggests people to migrate if they are snubbed, then the place where they will go the host state should also welcome them and manage and settle the refugees. As it is mentioned in (*Qurān*):

“Except the men, women and children who were indeed too feeble to be able to seek the means of escape and did not know where to go. May be Allah shall pardon them, for Allah is all pardoning, and all forgiving. Those who migrate for the sake of Allah will find in the earth enough room for refuge and plentiful resources...” [9]

(*Haḍrāt Muḥammad*) (PBUH) got deep into their spiritual capacities and their characteristics, and their tastes too, and he announced brotherhood between *Anṣār* and *Muhājīrīn*. And it took five months. (*Qurān*) mentions the earlier situation as:

“Remember the blessings that Allah bestowed upon you: you were once enemies, then He brought your hearts together, so that through His blessings you became brothers...” [10]

The practice of brotherhood that *Haḍrat Muḥammad* (PBUH) established prohibited different possible clashes. It barred hatred based on racism and tribalism. It also avoided pride because of wealth. Respect and compassion established between (*Anṣār* and *Muhājīrīn*).

At this stage, it is inevitable to define the implications of this custom in our modern-day situation. A great number of immigrants are witnessed around the globe today. America is also an immigrant society. We don't have any example of such spiritual and financial help for refugees and immigrants. Although, naturally American society is open to immigrants, we still have not solved racism. Slavery was abolished, but there are immigrants who work for wages far lower than the wages of natives.

The parable of the believers in support of each other is that of the bricks of a building. Each brick is held up by the other bricks and all of them require each other's support to remain standing. *Abū Mūsā* reported, *Haḍrat Muḥammad*(PBUH) said:

“Verily, the believers are like a structure, each one strengthening the other.” [11]

And the parable of the believers in their compassion for one another is that of a body. If one part of the body becomes ill or injured, the entire body responds to heal it. *al-Nūmān ibn Bāshīr* reported, Ḥaḍrat *Muḥammad* (PBUH) said:

“The example of the believers in their affection, mercy, and compassion for each other is that of a body. When any limb aches, the whole body reacts with sleeplessness and fever.”<sup>[11]</sup>

We need to realize that our Islamic sisters and brothers are suffering and they need us just as we need them. We should feel pain and torment when we hear stories of their distress and this should motivate us to perform productive action in the form of charity given through authentic and trustworthy relief organizations.

### Methodology:

This paper is an effort to go deep in the Islamic perspective of emerging issue of migration in the contemporary world, which is also causing many problems. There is a need to know what Islam says about Migration, the role of host government and refugees management. For this purpose two main sources of Islamic teachings have been taken into account, *Qur'an* and *Ḥādīth*. Likewise, some guidance has been taken from *Tafāsīr* (the exegesis of the Qur'an).

### Data analysis:

Whoever, will help a person when he is in need in this world, he will be taken care of his need in the hereafter. This is the promise of *Allah* and His Messenger. This is the best reward a person can have on the day of Resurrection. *Abu Huraira* reported: *Hāzrāt Mūhāmmād* (PBUH) said:

“Whoever relieves the hardship of a believer in this world, *Allah* will relieve his hardship on the Day of Resurrection. Whoever helps ease someone in difficulty, *Allah* will make it easy for him in this world and in the Hereafter.”<sup>[12]</sup>

In another *Ḥadīth*, the Prophet said:

“Whoever grants respite to someone in difficulty or alleviates him, *Allah* will shade him on the Day of Resurrection when there is no shade, but His.”<sup>[3]</sup>

Whoever, asked for help or charity the Prophet never denied to him, and set the most beautiful pattern of conduct for us. *Anas ibn Mālik* reported:

“The Messenger of *Allah*, peace and blessings be upon him, was never asked anything for the sake of Islam but that he would give it.”<sup>[12]</sup>

We are concerned about our Muslim brothers and sisters understandably, but there are also obligations towards humanity. Actually,

it was encouraged by *Haḍrat Muḥammad* (PBUH) to give charity to anyone who approaches him. *Abu Mūsā* reported:

“Whenever a beggar or a needy person came to the Prophet, peace and blessings be upon him, he would say: Intercede and you will be rewarded.” <sup>[11]</sup>

If a person having power and resources deny to help a vulnerable person, he will be exposed to the punishment and anger of Allah. As they closed the doors of charity on them, the gates of *al-Jannah* will be closed for them too.

*‘Amr ibn Murrah* reported, *Haḍrat Muḥammad* (PBUH) said:

“There is no leader who closes the door to someone in need, one suffering in poverty, except that Allah closes the gates of the heavens for him, when he is suffering in poverty.” <sup>[3]</sup>

Finally, we should be careful of extremism not the ones who ask charity, but the ones who wants to impose things viciously. These extremist voices are responsible for refugee’s crisis and Allah Almighty declares them as corrupters of earth. Allah says:

“Whenever it is said to them: Spread not disorder on earth their reply is: We only seek to put things right.” <sup>[13]</sup>

### **I. Living in (*Dār ūl Ḥārb*)**

“The Abode of Disbelief is whatever land is ruled by the disbelievers, in which the laws of the disbelievers are supreme and political power is in their hands. These places can be of two kinds: One which is at war with the Muslims and one which enjoys a truce with them. The determining factor is that it is ruled by the laws of the disbelievers; for it is the ‘Abode of Disbelief’ or *Dar ul Kufr*, even if a large majority of Muslims live there.” <sup>[14]</sup>

“The Abode of Islam is any land that is ruled by the Muslims, where الشريعة *al-Shari’ah* is the supreme law and the Muslims hold political power.” It is called *Dār al-Islam*, even the majority population is non-Muslims, and so long it is governed according to the الشريعة (*al-Shari’ah*) rules.

Is Muslims cannot follow their religion and live their lives according to Islam, they are not allowed to live in such place. As long as they practice religion freely without any fear. If they are not able to do so they must migrate to *Dār ul-Islam*. And if they are able to migrate and they do not they will not have any claim on Islam. In *Surah an-Nisa’* Allah says:

“While taking the souls of those who were engaged in wronging themselves, the angels asked: in what circumstances were you? They replied: we were too weak and helpless in the land, the angels said: was not the earth of Allah wide enough for you to

emigrate in it? For such men their refuge is in hell- an evil destination indeed. Except the men, women and children who were indeed too feeble to be able to seek the means of escape and did not know where to go.”<sup>[15]</sup>

*Ibn Kathīr* describes: “They were (wronging themselves) by refusing to emigrate. He continues by saying that this verse establishes a general rule which applies to anyone who is prevented from practicing his religion, yet willingly remains among the disbelievers.” Among the scholars no one disagree with this.<sup>[16]</sup>

The Prophet (peace be upon him) said:

“I am not responsible for any Muslim who stays among polytheists. They asked: ‘Why, Apostle of Allah? He said: ‘Their fires should not be visible to one another.’, and He (PBUH) said, ‘Who joins the polytheists and lives with them then he is like them’ and He (PBUH) said: ‘Migration will not end until repentance ends, and repentance will not end until the sun rises in the west.’<sup>[17][18]</sup>

*Al-Ḥassan ibn Ṣalih* said: "whoever remains in the land of the enemy, will be treated like the disbelievers, so long as he was able to join the Muslims but did not do it. If one of the disbelievers accepts Islam, but still remains with the disbelievers, even though he was able to go to join the Muslims, he is to be treated like them; neither his blood nor his property will be protected.”<sup>[19]</sup>

“The believers may not take the disbelievers as allies in preference to the believers. Whoever does this has nothing to do with *Allah* unless he does so in order to protect himself from their wrong-doing....”<sup>[20]</sup>

*Al-Ṭabari* explains that “such a person would have washed his hands of *Allah*, and that *Allah* would have nothing to do with a person who actively rejects Him and denies His Religion.” *Allah*, says:

“You who believe! Do not take the Jews and the Christians for your allies. They are the allies for each other, and among you he who takes them for allies shall be regarded as one of them, *Allah* does not guide the wrong doers.”<sup>[21]</sup>

“You will also find others who wish to be secure from you, and secure from their people but who, whenever they have any opportunity to cause mischief, plunge into it headlong. If such people neither leave you alone nor offer you peace nor restrain their hands from hurting you, then seize them and slay them wherever you come upon them. It is against these that we have granted you a clear sanction.”<sup>[22]</sup>

The people who live among the non-believers as per their will they are of two types:

Those who can live their lives according to their religion as per their will openly and have nothing to do with the non-believers. There is no pressure on them from the non-believers and they can tell them that they are on wrong way. "This is what is known as *Iẓhar al-Dīn* or 'assertion of Islam'."

"(O Muhammad) tell them: 'Men! If you are still in doubt concerning my religion, know that I do not serve beside *Allah*. I only serve *Allah* who will cause you to die. I have been commanded to be one of those who believe, and to adhere exclusively and sincerely to the true faith, and not to be one of those who associate others with *Allah* in his divinity.'" [23]

The second one is those who live in *Dār-ul-Ḥarab*, but they do not have any option to leave, they are oppressed so they are the ones who can stay there. *Allah* says,

"Except the men, women and children who were indeed too feeble to be able to seek the means of escape and did not know where to go." [24] *Allah* says:

"How is it that you do not fight in the way of *Allah* and in the support of the helpless, men, women and children- who pray 'our lord, bring us out of this land whose people are oppressors; and appoint for us from yourself, a protector, & appoint for us from yourself a helper.'" [25]

## II. Migration to Muslim countries from *Dār-ul-Ḥarab*.

The people who are against Islam will never allow the people who follow Islam as their conduct of life, they hate shirk (polytheism), as *Allah* says in Qur'an:

"...As for them, they will go on fighting with you till they succeed in turning you away from your faith, if they can...." [26]

And for the Cave men Allah says:

"For if they come upon us, they will stone us to death or force us to revert to their faith where after we shall never prosper." [27]

Finally, for the disbelievers stated aim, Allah says:

"Then the unbelievers told their Messengers: 'you will have to return to the fold of our faith or else we shall banish you from our land' thereupon their lord revealed to them: 'We will most certainly destroy these wrong doers.'" [28]

The Muslims would never had left their homes and beloved lands when they knew they had to suffer a lot of pain due to this but it was



obligatory as they were not allowed to follow Islam there. For these people **Allah** have great owner and reward in this world and hereafter.

“As for those who have forsaken their homes for the sake of Allah after enduring persecution, we shall certainly grant them a good abode in this world and surely the reward of the hereafter is much greater. If they could but know. Those who remain steadfast and put their trust in their Lord.” [29]

“*Hijrah* has a comprehensive meaning as understood in Islam. It is not simply just the act of moving from one place to another; from a non-Muslim country to a Muslim country. *Ibn al-Qayyim* explains that it is, in fact, an emigration of the body and the spirit. A physical movement from one place to another and a spiritual migration to Allah and His Messenger (peace be upon him). It is this second migration which constitutes the real migration, as the body simply follows the soul. Thus, the meaning of moving from one thing to something else is that the heart moves from the love of something other than Allah to love of Allah; from servitude of something or other to the service and worship of Allah; from fear of something or other to hope in and reliance upon Allah. It is Allah who is the object of one's hope and fear; prayers are addressed to Him; and He is the One before Whom one feels humility and admiration.” This is actually the flight which Allah ordered:

“Flee, therefor to *Allah*...” [30]

And (Ibn Abbas) reported that *Haḍrat Mūhāmmād* (PBUH) said:

“On the day of the conquest of Makkah, 'There is no migration (after the conquest), except for *Jihad* and good intentions, and when you are called for *Jihad*, you should immediately respond to the call.” [11]

### III. Leaving home for Allah' s cause

Allah has reserved great reward and benefits for the people who have left their homes for Allah and his cause and Allah says in Qur'an:

“Those among you who are bountiful and persons of means should not swear an oath that they would withhold their help from their relatives, the indigent and those who have left their homes for the cause of *Allah*: they should forgive and forbear. Do you not wish that Allah should forgive you? And Allah is Forgiving and Merciful.” [31]

### IV. Exile

“Exile is the state of being barred from one's native country.” And Allah says about exile as:

“Those who believe, and suffer exile and strove in his cause with their belongings and their persons have the highest rank in the sight of Allah. It is they who are triumphant.”<sup>[32]</sup>

## **V. Giving asylum**

Islam has encouraged to give asylum to the people who seek refuge, it is mandatory for Islamic host societies to give a gracious welcome to the migrants. Islam supports the wronged or mistreated persons and preserves sacredness of specific places as “the Kaaba in Mecca.” So if someone take refuge in a masjid or at the place of companion of *Haḍrat Muhammad* (PBUH) is secure and safe.

“Surely those who believed and migrated and strove hard in the way of Allah with their possessions and their lives, and those that sheltered and helped them-they alone are true allies for one another. And those who believed but did not migrated to *Dār al-Islam*, you are under no obligation of alliance unless they migrate. And should they seek help from you in the matter of religion, it is incumbent on you to provide help unless it be against a people with whom you have a pact. Allah is cognizant of all you do.”<sup>[33]</sup>

And also we are guided to give refuge to a non-believer if his home land is at war or any other genuine reason. Allah says:

“And if any of those who associate others with Allah in his Divinity seeks asylum, grant him asylum so that he may hear the words of Allah, then escort him to safety, for they are a people who do not know.”<sup>[34]</sup>

## **VI. Refugee’s management**

Now when we know that giving asylum is obligatory and people from different nations, countries and of different beliefs are going to come in our country/state so Islam has also laid stress on planning for the refugees management. As *Allah* says in (Qur’an):

“Believers, when believing women come to you as emigrants (in the cause of faith), examine them. Allah fully knows (the truth) concerning their faith. And when you have ascertained them to believing women, do not send them back to the unbelievers. Those women are no longer lawful to the unbelievers, nor are those unbelievers lawful to those (believing) women. Give their unbelieving husbands whatever they have spent (as bridal-dues); and there is no offense on you to marry those women if you give them their bridal dues. Do not hold on to your marriages to unbelieving wives and the unbelievers may ask for the return of the bridal-due they have given

to their believing wives? Such is Allah's command. He judges between you. Allah is all knowing most wise.” [35]

“Those who believe and have migrated and strove in the way of Allah, and those who gave them refuge and help- it is they who are the true believers. Theirs shall be forgiveness and honorable sustenance.” [36]

### Conclusion and Discussion:

As per all the verses from Qur'an and *Ḥadith* there are some points on which this study can be summarized such as: Migration to *Dār al-Islam* from *Dār al-Ḥarab* is mandatory. A Muslim cannot live at such a place where he cannot follow Islam as a conduct of his life and practice all his obligations freely according to *Shari'ah*. But if a person wants to live in a non-Muslim country where he can practice Islam freely and he can live his life gracefully and honorably he is allowed to do so. One should migrate if at any place he is oppressed and snubbed, and this is surely a blessing of Allah that a man can migrate for his own safety and security. *Ḥaḍrat Ibrahim* (A.S) was the one, who practiced this first, who, when he was endangered by his own folks said: “I will emigrate for the sake of my Lord”, as stated in *Surah al-'Ankabut* verse no. 26 and, “I am going to my Lord, He shall guide me”, stated in *Surah Al-Ṣaffāt* verse no. 99. Then there was *Ḥaḍrat Mūsa* (A.S): “So he escaped from there, vigilant and fearing for his life, and said ‘My Lord deliver me from these oppressors’”, as stated in *Surah al-Qaṣaṣ* verse no. 21.

And ultimately migration as anything else, is also a matter of one's intention, as *Ḥaḍrat Muḥammad* (PBUH) said:

"Indeed actions are but by intention, and each will be rewarded according to his intent. So whose goal is to migrate for Allah and His Messenger, his migration is for *Allah* and His Messenger, and whose aim is to migrate to some worldly gain or to take the hand of a woman in marriage, his migration is to that which he has sought.” [11][12]

As a whole teachings of Islam and practices of *Ḥaḍrat Muḥammad* (PBUH) should be followed in the matter of migration like anything else in life, which are ideal. Immigrants should be treated as Islam teaches us and that is very clear too, but unfortunately this modern society has made migration very difficult process and even in natural disasters or wars migrants are not welcomed warmly and mismanagement is always there in such situations. Islam is a religion of kindness and empathy, helping others before thinking about one's own self and sacrificing that what you want for yourself, as in a *Ḥadith* it is mentioned:

“You cannot be a real believer unless you want for your brother what you want for yourself.” [11][12]

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